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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 LAWTIS DONALD RHODEN,
13 Plaintiff,

14 vs.

15 SHERIFF MICHAEL S. CARONA;
16 Deputy CAPT. D. BERGQUIST;
17 Deputy LT. W. GRIFFIN; Deputy
18 LT. T. GALLIVAN; ~~Deputy SGT.~~
~~NEWMAYER~~; ~~Deputy SGT.~~
~~FOUSTE~~; Deputy SGT. PEPE;
19 Deputy SGT. CURRY; Deputy P.
20 KINNEY; Deputy BAL TODANO;
21 Deputy MILLER; Deputy
22 ZWIRNER; ~~Deputy R. EPPERSON~~;
23 Deputy GARNETT; ~~Deputy~~
~~MARTINO~~; and JOHN DOES 1
24 through 10.

25 Defendants.

26 In their individual capacities.

27 Case No.: SACV 08-00420 MWF (SSx)
28 Hon. Michael W. Fitzgerald

**CORRECTED JUDGMENT AFTER
JURY TRIAL**

1 On January 7, 2011, Defendants DEPUTY SGT. FOUSTE, DEPUTY
2 MARTINO, AND DEPUTY SGT. NEWMAYER were dismissed with prejudice as
3 a result of the Court's partial granting of Defendants' Motion for Partial Summary
4 Judgment. (Docket No. 137). On June 17, 2011, the parties stipulated to the
5 dismissal of Defendant DEPUTY R. EPPERSON with prejudice, pursuant to
6 Federal Rule Of Civil Procedure 41(a)(1)(A)(ii), in exchange for a waiver of
7 DEPUTY R. EPPERSON's costs. (Docket No. 152).

8 On December 3, 2012, the above matter came on for jury trial between
9 plaintiff LAWTIS DONALD RHODEN and defendants SHERIFF MICHAEL S.
10 CARONA, DEPUTY CAPT. BERGQUIST, DEPUTY LT. GRIFFIN, DEPUTY
11 LT. GALLIVAN, DEPUTY SGT. PEPE, DEPUTY SGT. CURRY, DEPUTY
12 KINNEY, DEPUTY BAL TODANO, DEPUTY MILLER, DEPUTY ZWIRNER,
13 and DEPUTY GARNETT. The matter was tried before the Honorable Michael
14 W. Fitzgerald, in the above-captioned court. Plaintiff LAWTIS DONALD
15 RHODEN was represented by his attorney Andrew Joseph Sokolowski.
16 Defendants were represented by their attorneys David D. Lawrence and Daniel S.
17 Cha.

18 After hearing the evidence and the arguments of counsel, the case was
19 submitted to the jury. The jury deliberated, and on December 11, 2012, after
20 returning into court and being called the jurors rendered their unanimous verdict in
21 writing on the issue of liability in favor of defendants SHERIFF MICHAEL S.
22 CARONA, DEPUTY CAPT. BERGQUIST, DEPUTY LT. GRIFFIN, DEPUTY
23 LT. GALLIVAN, DEPUTY SGT. PEPE, DEPUTY SGT. CURRY, DEPUTY
24 KINNEY, DEPUTY BAL TODANO, DEPUTY MILLER, DEPUTY ZWIRNER,
25 and DEPUTY GARNETT.

26 Pursuant to Rules 54(a), 58(b)(2)(A), and 60(a) of the Federal Rules of
27 Civil Procedure, by reason of the referenced verdict, and by reason of the Court's
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1 prior orders in this action, IT IS HEREBY ORDERED, ADJUDGED AND
2 DECREED as follows:

3 Judgment is entered in favor of defendants SHERIFF MICHAEL S.
4 CARONA, DEPUTY CAPT. BERGQUIST, DEPUTY LT. GRIFFIN, DEPUTY
5 LT. GALLIVAN, DEPUTY SGT. NEWMAYER, DEPUTY SGT. FOUSTE,
6 DEPUTY SGT. PEPE, DEPUTY SGT. CURRY, DEPUTY KINNEY, DEPUTY
7 BALTODANO, DEPUTY MILLER, DEPUTY ZWIRNER, DEPUTY R.
8 EPPERSON, DEPUTY GARNETT, and DEPUTY MARTINO; and

9 Plaintiff LAWTIS DONALD RHODEN shall take nothing by way of his
10 complaint against defendants SHERIFF MICHAEL S. CARONA, DEPUTY
11 CAPT. BERGQUIST, DEPUTY LT. GRIFFIN, DEPUTY LT. GALLIVAN,
12 DEPUTY SGT. NEWMAYER, DEPUTY SGT. FOUSTE, DEPUTY SGT. PEPE,
13 DEPUTY SGT. CURRY, DEPUTY KINNEY, DEPUTY BALTODANO,
14 DEPUTY MILLER, DEPUTY ZWIRNER, DEPUTY R. EPPERSON, DEPUTY
15 GARNETT, and DEPUTY MARTINO; and

16 Defendants SHERIFF MICHAEL S. CARONA, DEPUTY CAPT.
17 BERGQUIST, DEPUTY LT. GRIFFIN, DEPUTY LT. GALLIVAN, DEPUTY
18 SGT. NEWMAYER, DEPUTY SGT. FOUSTE, DEPUTY SGT. PEPE, DEPUTY
19 SGT. CURRY, DEPUTY KINNEY, DEPUTY BALTODANO, DEPUTY
20 MILLER, DEPUTY ZWIRNER, DEPUTY GARNETT, and DEPUTY
21 MARTINO are prevailing parties for the purpose of any recovery of allowed costs
22 as set forth in Local Civil Rule 54.

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24 DATED: January 30, 2013

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MICHAEL W. FITZGERALD
United States District Judge

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